

PAUL J. FISHMAN
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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

| | | |
|--------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA | : | Hon. Faith S. Hochberg, U.S.D.J. |
| <i>Plaintiff,</i> | : | Criminal No. 09-931 |
| v. | : | CONSENT JUDGMENT AND |
| CRAIG HATCHER | : | PRELIMINARY ORDER OF |
| <i>Defendant.</i> | : | FORFEITURE |

WHEREAS, on December 18, 2009, the United States filed an Indictment, Criminal No. 09- 931, against Craig Hatcher, charging him with a violation of Title 18, United States Code, Section 922(g)(1); and

WHEREAS, on May 26th the defendant, Craig Hatcher pled guilty to the one-count Indictment; and

WHEREAS, pursuant to Title 18 United States Code, Section 924(d)(1), and Title 28, United States Code, Section 2461(c), defendant, Craig Hatcher agrees to the forfeiture of:

- (1) A FEG PA-63 9mm MAC semi-automatic pistol, with a defaced serial number;
and
- (2) Six (6) rounds of 9mm MAK ammunition.

WHEREAS, defendant Craig Hatcher specifically acknowledges notice of the criminal forfeiture, consents to the entry of a Consent Judgment and Preliminary Order of Forfeiture, and waives his right to be present and heard on the timing and form of this order pursuant to Federal Rules of Criminal Procedure 32.2 and 43(a); and

WHEREAS, defendant Craig Hatcher agrees not to contest the forfeiture of the above referenced property; and

WHEREAS, by virtue of the above, the United States is now entitled to possession of the herein described assets pursuant to Title 18 United States Code, Section 924(d)(1), Title 28, United States Code, Section 2461(c) and Rule 32.2 of the Federal Rules of Criminal Procedure; and

WHEREAS, defendant Craig Hatcher waives and abandons all right, title, and interest in the firearm and ammunition listed above. Defendant Craig Hatcher further waives, releases, and withdraws any claim that defendant may have made with respect to the above listed firearm and ammunition and waives and releases any claim that defendant might otherwise have made to them in the future; and

WHEREAS, defendant Craig Hatcher consents to the destruction of the above listed firearm and ammunition.

It is hereby **ORDERED, ADJUDGED AND DECREED:**

THAT the property, specifically:

- (1) A FEG PA-63 9mm MAC semi-automatic pistol, with a defaced serial number;
and
- (2) Six (6) rounds of 9mm MAK ammunition

are to be held by any authorized agency of the United States in its secure custody and control;

THAT pursuant to Title 21, United States Code, Section 853(n)(1), the United States shall publish notice of this Order and of its intent to dispose of the property in such a manner as the Attorney General may direct, including posting notice on the official internet government forfeiture site www.forfeiture.gov for at least 30 consecutive days; and

THAT pursuant to Title 21, United States Code, Section 853(n)(2), any person, other than the Defendant, asserting a legal interest in any of the above-listed forfeited property must file a petition with the Court within **thirty (30)** days of the final publication of notice or of receipt of actual notice, whichever is earlier, and state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property; and


THAT pursuant to Title 21 United States Code, Section 853(n)(3), the petition shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in the forfeited property, the time and circumstances of the petitioner's acquisition of the right, title, or interest in the forfeited firearm and ammunition and any additional facts supporting the petitioner's claim and the relief sought; and

THAT the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified; and

THAT the aforementioned forfeited property is to be held by the appropriate United States agency in its secure custody and control until the appropriate disposition of said Property by the United States; and

THAT upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture including authority to destroy the above listed firearm and ammunition.

ORDERED this 26th day of August 2010



Honorable Faith S. Hochberg
United States District Judge

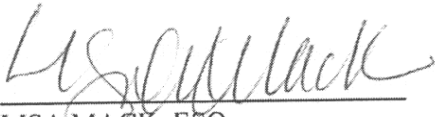
The Undersigned hereby consent
to the entry and form of this
Consent Judgment and Order of Forfeiture:

PAUL J. FISHMAN
United States Attorney



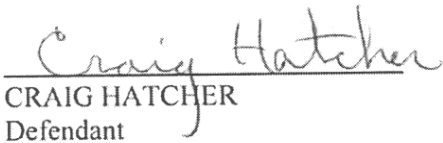
RANDALL H. COOK
Assistant United States Attorney
970 Broad Street, Suite 700
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Dated: 8/25/10



LISA MACK, ESQ.
Assistant Federal Public Defender
Counsel for the Defendant
Craig Hatcher

Dated: 8/20/10



CRAIG HATCHER
Defendant

Dated: 8/20/10